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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CRWP No.6424 of 2020
Date of decision : 26.08.2020**

Gurmit Kaur

.....Petitioner

Vs.

State of Punjab and others

.....Respondents

CORAM: Hon'ble Mr. Justice G.S. Sandhwalia

Present:- Mr. Rahul Bahrgava, Advocate for the petitioner

Mr. A.S.Sandhu, Addl. Advocate General, Punjab.

(The proceedings have been conducted through Video
conferencing as per instructions.)

G.S. Sandhwalia, J. (Oral)

The present petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of Habeas Corpus directing the respondent no.1 and 2 to get the detenue mentioned in para no.2 of the present petition released from respondent no.3 who is a Punjab Police official and has allegedly illegally detained the detenues with him in the Police Station.

Upon notice of motion being issued, an affidavit has been filed by Mr. Sukhraj Singh, SHO, Police Station Sadar Batala, District Gurdaspur, Police District Batala the said respondent. It has been averred that out of 10 persons mentioned in para no.8 of the affidavit, 9 persons namely Amarjit Kaur, Roshan Masih, Gurpreet Singh, Lovepreet Kaur, Gurjeet Singh, Gurpreet Kaur, Harvant Singh, Rajwinder Kaur, Gurpreet

Kaur and Harwinder Kaur are neither wanted nor required except one Harvant Singh son of Sawinder Singh resident of Malewal, PS Dera Baba Nanak. It is submitted that the said person has been nominated as an accused vide DDR No.25 dated 25.8.2020 on the statement of Harjit Singh son of Mohan Singh.

As per affidavit, it has been submitted that FIR No.39 dated 1.4.2020 under Section 302, 201, 34 IPC, Police Station Sadar Batala had been lodged against unknown person on account of the fact that one charred body of Harpreet Singh son of Darbara Singh had been recovered which was identified on 5.4.2020. DDR No.27 dated 1.8.2020 had also been entered into during further investigation of case and on the extra judicial confession of one Heera Singh son of Piara Singh persons namely Baljit Singh, Amritpal Singh @ Kala, Hardeep Singh and Gurpreet Singh @ Ravi have been nominated as accused.

Counsel for the petitioner submits that one of the person namely Gurjeet Singh @ Ravi son of Sukhdev Singh continuous to be in custody as per his instructions. Accordingly, he submits that the present petition be disposed of as having been rendered infructuous. However, he be given liberty to file a fresh one with appropriate details of the custody of said Gurjeet Singh.

Accordingly, the present petition is disposed of as having been rendered infructuous with the aforesaid liberty.

26.08.2020
Pka

(G.S. Sandhawalia)
Judge